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December 12, 2007

VIA FAX (212-805-7949)

Honorable P. Kevin Castel
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

Re: David Parkinson v. Vincent A. Farina, et al. 07 CV 5445 (PKC)

Dear Judge Castel:

The parties are jointly requesting that the pre-trial conference scheduled for December 14, 2007 be adjourned until January 25, 2008, or such other date as the Court may set. The parties would like additional time to reach a binding settlement of this action. Although this is the third time the parties have asked for an adjournment, the prior two adjournments were necessary because the parties were engaging in limited discovery, exchanging documents, and assessing their various claims and defenses.

Plaintiff has recently submitted an offer of settlement to the defendants and the parties have engaged in fruitful settlement discussions. The parties are optimistic that an agreement will be reached regarding the monetary terms but additional time is needed to reach an agreement on the non-monetary terms. Defendants need time to seek the necessary authorizations. The parties believe that the scheduling conference set for Friday would be best postponed.

Respectfully submitted,

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